

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States District Court
Southern District of Texas
FILED

NOV - 4 2020

United States of America

v.

Reynaldo VILLARREAL (YOB: 1991) USA
Rogelio GARZA (YOB: 1993) USA

David J. Bradley, Clerk

Case No. 11-20-2385-MDefendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 02, 2020 in the county of Starr in the
Southern District of Texas, the defendant(s) violated:

Code Section

21 USC 846
21 USC 841

Offense Description

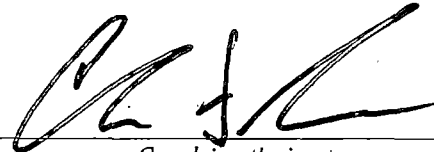
Conspiracy to Possess with Intent to Distribute and Possession with Intent to
Distribute Fentanyl, approximately 9.00 kilograms, a Schedule II controlled
substance.

This criminal complaint is based on these facts:

(See Attachment I)

☒ Continued on the attached sheet.

Approved by AUSA Patricia Cook Profit



Complainant's signature

Christopher Donahue, DEA Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date:

November 4, 2020
7:54 am

Judge's signature

City and state:

McAllen, Texas

Peter E. Ormsby, U.S. Magistrate Judge

Printed name and title

ATTACHMENT 1

1. On November 02, 2020, U.S. Border Patrol Agents (BPA) established surveillance in an area known as the "Refugio Turnaround" near the Rio Grande River in Rio Grande City, Texas. The "Refugio Turnaround" is known to agents as a pickup location for narcotics entering the United States.
2. At approximately 7:31 p.m., agents observed a subject walking around the "Refugio Turnaround" area that appeared to be scouting for law enforcement in the area.
3. At approximately 7:58 p.m., agents observed a single cab truck, later identified as a white Chevrolet Silverado, drive to the "Refugio Turnaround". Shortly afterwards, a BPA observed a subject walk from the brushy area surrounding the "Refugio Turnaround" and deliver an unknown item, suspected to be narcotics, to the Silverado. After receiving the suspected narcotics, the Silverado departed the area and traveled north from the border area. Soon thereafter, BPAs attempted to follow the truck which began driving at a high rate of speed away from agents. BPAs subsequently attempted to stop the vehicle which failed to yield to agents.
4. Agents subsequently pursued the Silverado as it travelled east on U.S. Expressway 83 through Rio Grande City, Texas. After following the vehicle for several miles, agents observed two (2) subjects abandon the Silverado and flee on foot. A BPA observed one of the Silverado's occupants hide behind a house and the second subject hide in nearby brush. Agents subsequently apprehended and identified Reynaldo VILLARREAL and Rogelio GARZA as the occupants of the Silverado. After VILLARREAL and GARZA were apprehended, responding agents located a Red Monkey trucker style hat along the south side of U.S. Expressway 83. The agents observed that the hat appeared to be new and may have been worn by either VILLARREAL or GARZA. During a search of Silverado and surrounding area agents did not locate any narcotics or contraband leading agents to believe that the suspected narcotics were thrown from the vehicle during the pursuit.
5. Both Reynaldo VILLARREAL and Rogelio GARZA were then detained pending state charges for felony evading. While at the Border Patrol station and during a non-Mirandized interview, VILLARREAL agreed to show agents where VILLARREAL and GARZA had thrown a backpack containing suspected narcotics from the Silverado, however, VILLARREAL stated that he did not want his statements used against him. Shortly afterwards, BPAs drove VILLARREAL from the Border Patrol station towards the route travelled by VILLARREAL and GARZA during the chase. During the drive, VILLARREAL identified an area, along U.S. Expressway 83, that was already being searched by BPAs with flash lights, as the general area where he believed the suspected

narcotics were thrown from the Silverado. VILLARREAL told agents that he did not know exactly where the narcotics were thrown from the vehicle because he was travelling at a high rate of speed but that the narcotics could be in the area already being searched by agents.

6. After an extensive search of the general area identified by VILLARREAL, agents located eight (8) bundles, containing a white powdery substance, and an empty backpack several yards off of U.S. Expressway 83 along the same route that the Silverado had travelled while fleeing from agents. BPAs observed that the bundles were located approximately thirty (30) to forty (40) yards west from where agents located the Red Monkey hat along the road. The suspected narcotics were later processed and weighed approximately 9.00 kilograms. Field tests were conducted on samples removed from two (2) of the bundles and tested positive for the characteristics and properties of fentanyl.
7. On November 03, 2020 agents conducted a post-arrest Mirandized interview of Rogelio GARZA. During the interview, GARZA stated that he coordinated with an associate of his to pick up and transport illegal aliens from the area of the Rio Grande River. GARZA stated that Reynaldo VILLARREAL and GARZA subsequently travelled to the border to pick up the illegal aliens and instead were given a backpack by an unknown subject. GARZA stated that he became nervous after receiving the backpack because he believed the backpack contained narcotics. GARZA stated that after being pursued by law enforcement, he threw the backpack from the Silverado. GARZA stated that had he believed he was going to be paid for participating in the smuggling attempt. GARZA stated that he was going to give half of his money to VILLARREAL who assisted him in the smuggling attempt.
8. On November 03, 2020, agents conducted a post-arrest Mirandized interview of Reynaldo VILLARREAL. During the interview, VILLARREAL stated that GARZA called him on November 02, 2020, and requested his assistance in picking up a backpack from the border area. VILLARREAL stated that he believed the backpack would contain narcotics. VILLARREAL stated that VILLARREAL and GARZA subsequently travelled to border where they picked up the backpack. VILLARREAL stated that he fled from law enforcement because he did not want to get apprehended with the backpack that he believed contained narcotics. VILLARREAL stated while being pursued by law enforcement, GARZA threw the backpack from the VILLARREAL's Silverado. VILLARREAL stated that GARZA coordinated the smuggling attempt and was going to pay VILLARREAL for participating in the smuggling attempt.